

Department of
Social Security

25 Stamps Road

Glasgow
G1 3LA
Tel. 041 771 8381
(PROVAN ILO)

If you get in touch with us
tell us this reference number

3491/015 BEN

If you ring ask for extension

241

Date 9. 6. 91

Mrs J. Kerr
8 LETHAMHILL PL
GLASGOW
G33 2SA

Dear Mrs Kerr,

The enclosed notification
gives the decision of your late
husband's claim for pneumoconiosis made
before his death.

Yours sincerely
Somell
pp Manager



DEPARTMENT OF HEALTH AND SOCIAL SECURITY

25 Stepps Rd Glasgow G33 3NG

Telephone 041-774-8381 ext 241

Mrs J Kerr
8 Lethamhill Place
Glasgow G33 2SD

Please tell us this number
RA 9137 865

If you get in touch with us

12.6.92

Dear Sir or Madam

In respect of the late Mr Thomas Kerr

With reference to your claim dated 12/12/91 for disablement benefit for pneumoconiosis, the Special Medical Board which examined you on 13/1/92 have decided that on that date you were not suffering from that disease. The Adjudication Officer has, therefore, decided that disablement benefit cannot be awarded to you. His decision is given in full on the back of this letter.

If you want to know more about this decision please phone us or write to us or call in at our office and ask us to give you a general explanation.

A summary of the Medical Board's report is also given on the back of this letter. Your own doctor has been told about this and you should contact him if you want to know more about your medical condition.

If you belong to a trade union or association we will tell your representative about this if you wish, but you must write to us and say

- which trade union or association you belong to
- the name and address of your representative
- that you want him to know all about your claim.

He will be given copies of all your papers and will be told about the arrangements for any hearing before an Appeal Tribunal.

HELP AND ADVICE

An advice centre like the Citizens' Advice Bureau or a local law centre can give you free advice. If you appeal, they will sometimes go to the Tribunal with you. You can find a list of their addresses in the phone book or at the front of the Yellow Pages or at the Library. It will help the advice centre if you take this letter to show them.

You can also find out what happens when people appeal in the leaflet called 'How to appeal'. You can get this leaflet from any Social Security office.

Yours faithfully

LPSO

PF Manager

ADJUDICATION OFFICER'S DECISION

Disablement benefit is not payable from and including 5/5/89 because the medical board have decided that the claimant has not been suffering from pneumoconiosis or from any condition resulting therefrom.
(Social Security (Adjudication) Regulations 1986)

SUMMARY OF THE MEDICAL BOARD'S FINDINGS
MATERIAL TO THEIR DECISION

Post mortem examination has confirmed the in vivo diagnosis of carcinomatosis due to an anaplastic tumour of unknown origin. The history is not that of mesothelioma and post mortem examination did not identify any pleural or lung tumour. (Non-prescribed pleural plaque was found).

Appeal to a Medical Appeal Tribunal

If you disagree with the Special Medical Board's decision you can appeal to the Medical Appeal Tribunal. This means that an independent panel of a legally qualified chairman and two consultant doctors who are not from the DHSS will look at your claim again.

If you want to appeal you must send us a letter within 3 months from the date of this letter and let us know

- exactly what you are appealing about
- the reasons why you disagree
- your full name and national insurance number

Appeal to a Social Security Appeal Tribunal

If you disagree with the Adjudication Officer's decision you can appeal to the Social Security Appeal Tribunal if you think he has made a mistake in the way he has used the information given by the Special Medical Board. This means that your case will be looked at again by an independent panel of 3 people who are not from the DHSS.

However, the Adjudication Officer and the Tribunal are bound by the findings of the medical authorities and have no power to change their decision. For this reason, although you have the right of appeal against the decision, the chairman of the Tribunal must give his permission before your case can be heard.

If you want to appeal you must write to us. It will help you if your letter says exactly what you are appealing about and why you disagree with the decision. You should contact us within 3 months from the date of this letter.

If you are in doubt about your appeal rights, please do not hesitate to consult this office.